

SECOND REGULAR SESSION

SENATE BILL NO. 723

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR JACOB.

Pre-filed December 1, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

2607S.011

AN ACT

To repeal sections 174.610 and 174.620, RSMo, and to enact in lieu thereof six new sections relating to faculty representation on the governing boards of certain institutions of higher education.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 174.610 and 174.620, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 172.036, 174.057, 174.610, 174.620, 174.622, and 175.022, to read as follows:

172.036. 1. Four persons, one from each campus of the University of Missouri, who meet the qualifications established in this section shall be appointed by the governor, with the advice and consent of the senate, as faculty member representatives to the board of curators of the University of Missouri, who shall attend all meetings and participate in all deliberations of the board. The governor shall select an appointee for each campus from a panel of three nominees selected by the faculty council, the faculty senate, or equivalent faculty organization of that campus. Such faculty member representative shall have the same powers as the other members of the board of curators, except that such faculty member representative shall not have the right to vote on any matter before the board.

2. Such faculty member representative shall be a full-time tenured faculty member at the university, a citizen of the United States, and a resident of the state of Missouri.

3. The term of the faculty member representative shall be three years. No person shall serve as the faculty member representative to the board of curators for more than two terms.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

4. If a vacancy occurs for any reason in the position of faculty member representative, the governor shall appoint, pursuant to subsection 1 of this section, a replacement who meets the qualifications set forth in subsection 2 of this section.

5. If the faculty member representative ceases to be a full-time faculty member at the University of Missouri, or a resident of the state of Missouri, such position shall at once become vacant.

6. The faculty member representative shall receive the same reimbursement for expenses as other members of the board of curators receive pursuant to section 172.040.

174.057. 1. There shall be a faculty representative to the board of regents of each educational institution referred to in section 174.020, appointed by the governor, with the advice and consent of the senate, who shall attend all meetings and participate in all deliberations of the board. The governor shall select an appointee from a panel of three nominees selected by the faculty council, the faculty senate, or equivalent faculty organization of the institution. Such faculty member representative shall have the same powers as the other members of the board of regents, except that such faculty member representative shall not have the right to vote on any matter before the board.

2. Such faculty member representative shall be a full-time tenured faculty member at the institution, a citizen of the United States, and a resident of the state of Missouri.

3. The term of the faculty member representative shall be three years. No person shall serve as the faculty member representative to the board of a particular institution for more than two terms.

4. If a vacancy occurs for any reason in the position of faculty member representative, the governor, pursuant to subsection 1 of this section, shall appoint a replacement who meets the qualifications set forth in subsection 2 of this section.

5. If the faculty member representative ceases to be a full-time faculty member at the institution, or a resident of the state of Missouri, such position shall at once become vacant.

6. The faculty member representative shall receive the same reimbursement for expenses as other members of the board of regents receive pursuant to section 174.100.

174.610. The governing board of the Truman State University shall be a board of governors consisting of [ten] **eleven** members, composed of seven voting members and [three] **four** nonvoting members as provided in section 174.620, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting governor who is not a citizen of the United States and who has not

been a resident of the state of Missouri for at least two years immediately prior to such person's appointment. Not more than four voting governors shall belong to any one political party. The appointed members of the board of regents serving on January 1, 1986, shall become members of the board of governors on January 1, 1986, and serve until the expiration of the terms for which they were appointed.

174.620. 1. The board of governors shall be appointed as follows:

(1) Four voting members from the counties of Adair, Audrain, Boone, Callaway, Chariton, Clark, Howard, Knox, Lewis, Lincoln, Linn, Marion, Macon, Monroe, Montgomery, Pike, Putnam, Ralls, Randolph, St. Charles, Schuyler, Scotland, Shelby, Sullivan, and Warren, provided that not more than one member shall be appointed from the same county;

(2) Three voting members from any of the seven college districts as contained in section 174.010, provided that no more than one member shall be appointed from the same congressional district;

(3) Two nonvoting members whose residence is other than the state of Missouri and who are knowledgeable of the educational mission of liberal arts institutions; [and]

(4) One nonvoting member who is a student. Such student representative shall attend all meetings and participate in all deliberations of the board. Such student representative shall not have the right to vote on any matter before the board, but shall have all other powers and duties of section 174.055, and shall also meet the qualifications of section 174.055; **and**

(5) One nonvoting member who is a faculty member, as provided in section 174.622.

2. The term of service of the governors shall be as follows:

(1) The voting members shall be appointed for terms of six years; except, that of the voting members first appointed, two shall serve for terms of two years, two for terms of four years, and three for terms of six years;

(2) The nonvoting members who are not students **or faculty members** shall be appointed for terms of six years; except, that of the nonvoting members first appointed, one shall serve for a term of three years, and one shall serve a term of six years; and

(3) The nonvoting student member shall serve a two-year term as provided in section 174.055, **and the nonvoting faculty member shall serve a three-year term as provided in section 174.622.**

3. The governors, both voting and nonvoting, while attending the meetings of the board shall receive their actual and necessary expenses, which shall be paid out of the ordinary revenues of the university. Vacancies in terms of office caused by death, resignation or removal shall be filled in the manner provided by law for such vacancies on the board of curators of the University of Missouri.

174.622. 1. There shall be a faculty representative to the board of governors

of Truman State University, appointed by the governor, with the advice and consent of the senate, who shall attend all meetings and participate in all deliberations of the board. The governor shall select an appointee from a panel of three nominees selected by the faculty council, the faculty senate or equivalent faculty organization of Truman State University. Such faculty member representative shall have the same powers as the other members of the board of governors, except that such faculty member representative shall not have the right to vote on any matter before the board.

2. Such faculty member representative shall be a full-time tenured faculty member at the university, a citizen of the United States, and a resident of the state of Missouri.

3. The term of the faculty member representative shall be three years. No person shall serve as the faculty member representative to the board for more than two terms.

4. If a vacancy occurs for any reason in the position of faculty member representative, the governor shall appoint, pursuant to subsection 1 of this section, a replacement who meets the qualifications set forth in subsection 2 of this section.

5. If the faculty member representative ceases to be a full-time faculty member at the university, or a resident of the state of Missouri, such position shall at once become vacant.

6. The faculty member representative shall receive the same reimbursement for expenses as other members of the board of governors receive pursuant to section 174.620.

175.022. 1. There shall be a faculty representative to the board of curators of Lincoln University, appointed by the governor, with the advice and consent of the senate, who shall attend all meetings and participate in all deliberations of the board. The governor shall select an appointee from a panel of three nominees selected by the faculty council, the faculty senate, or equivalent faculty organization of Lincoln University. Such faculty member representative shall have the same powers as the other members of the board of curators, except that such faculty member representative shall not have the right to vote on any matter before the board.

2. Such faculty member representative shall be a full-time tenured faculty member at the university, a citizen of the United States, and a resident of the state of Missouri.

3. The term of the faculty member representative shall be three years. No person shall serve as the faculty member representative to the board for more than two terms.

4. If a vacancy occurs for any reason in the position of faculty member representative, the governor shall appoint, pursuant to subsection 1 of this section, a replacement who meets the qualifications set forth in subsection 2 of this section.

5. If the faculty member representative ceases to be a full-time faculty member at the university, or a resident of the state of Missouri, such position shall at once become vacant.

6. The faculty member representative shall receive the same reimbursement for expenses as other members of the board of curators receive pursuant to section 175.030.

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